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APPLICATION NO. FILING DATE		ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/069,546 06/07/2002		06/07/2002	Rudy Federici	31509-178300 1488		
26694	7590	12/11/2003		EXAMINER		
VENABLE	E, BAETJ	ER, HOWARI	KEENAN, JAMES W			
P.O. BOX 3	4385					
WASHING	TON, DC	20043-9998	ART UNIT	PAPER NUMBER		
			3652			
			DATE MAILED: 12/11/2003			

Please find below and/or attached an Office communication concerning this application or proceeding.

					\bigcirc W						
2)		Application	No.	Applicant(s)							
		10/069,546		FEDERICI ET AL.							
	Office Action Summary	Examiner		Art Unit							
		James Keen	an	3652							
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repiy										
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status											
1)	Responsive to communication(s) f	iled on									
2a) <u></u>	This action is FINAL.	2b) ☐ This action is non-	final.								
3)□	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.										
Dispositi	on of Claims										
4)⊠	Claim(s) 1-15 is/are pending in the	e application.									
1	4a) Of the above claim(s) is	• •	deration.								
5) 🗌	5) Claim(s) is/are allowed.										
	6) Claim(s) is/are rejected.										
· ·	Claim(s) is/are objected to.										
8)⊠	8) Claim(s) 1-15 are subject to restriction and/or election requirement.										
Applicati	on Papers										
9)☐ The specification is objected to by the Examiner.											
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.											
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).											
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).											
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.											
Priority under 35 U.S.C. §§ 119 and 120											
	Acknowledgment is made of a clai		r 35 U.S.C. § 119(a))-(d) or (f).							
a)l	a)⊠ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received.										
2. Certified copies of the priority documents have been received in Application No											
	3. Copies of the certified copies of the priority documents have been received in this National Stage										
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.											
13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)											
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.											
	7 CFR 1.78. \	anguage provisional applic	cation has been rece	eived							
 a) The translation of the foreign language provisional application has been received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. 											
	W-X										
Attachment	i(s) e of References Cited (PTO-892)	AN	Intervious Summania	(DTO-412) Damar No.	s)						
	e of References Cited (P10-892) e of Draftsperson's Patent Drawing Review		Interview Summary (Notice of Informal Pa								
	nation Disclosure Statement(s) (PTO-1449)	-	Other: .	,,	•						
U.S. Patent and Ti PTOL-326 (R		Office Action Summary		Part o	of Paper No. 8						

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1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-11, drawn to a handling, storage, and gripping device.

Group II, claim(s) 12-15, drawn to a method of assembling a wafer batch.

- 2. The inventions listed as Groups I-II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I is directed to a wafer handling apparatus in which grippers can be moved together but actuated independently of one another, whereas the gripping device of the Group II claims requires no such limitation.
- 3. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

A: Figures 2a-5;

B: Figure 6.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

4. The claims are deemed to correspond to the species listed above in the following manner:

A: Claims 4, 5;

B: Claim 6.

The following claim(s) are generic: 1-3, 7-15.

- 5. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: Species A is directed to a gripping device wherein the individual grippers move in a pivotal fashion, whereas Species B is directed to a gripping device with a vertical rectilinear movement.
- 6. A telephone call was made to Stuart Smith on 12/9/03 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Keenan whose telephone number is 703-308-2559. The examiner can normally be reached on Monday through Thursday, although this may vary.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

James Keenan Primary Examiner Art Unit 3652

jwk 12/9/03